

REMARKS/ARGUMENTS

In response to the Notice of Allowance and Issue Fee Due mailed 06/02/09, the undersigned exchanged messages with Examiner Truong to request rejoinder of claims which had previously been restricted out, but upon the allowance of previously identified generic claim 1, should now be rejoined and allowed.

In the latest Amendment by the Applicant prior to receipt of the Notice of Allowance and Issue Fee Due:

Claims 1-7, 9-31, 33, 43-44, and 46 were pending in the application, Claims 8, 32, 34-42, and 45 having been canceled.

Claims 1, 20-26, 44, and 46 were actively pending.

Claims 2-7, 9-19, 27-31, 33, and 43 were listed as having been withdrawn.

In the Notice of Allowability, Claims 1, 20-26, and 44 were identified as being allowed.

In the Examiner's Amendment:

Claims 2-7, 9-19, 27-31, 43, and 46 were canceled.

Claim 33 was not addressed.

In this Amendment After Allowance, claims which are dependent on an allowed generic base claim, i.e., Claim 1, and Claim 33 which had been amended in the Amendment after Final in response to the Office action mailed September 25, 2007 to be directed toward the elected species I as elected therein, are requested to be rejoined to the allowed claims and processed for allowance.

In the response to the September 25, 2007 Office Action the Applicant wrote:

Election/restrictions

Claims 2-7, 9-19, 33 stand withdrawn. Applicant hereby requests reinstatement, consideration and allowance of Claims 2-7, 9-19 as being dependent from generic Claim 1.

Further, Claim 33 has been amended to be directed towards the elected species I that includes figures 1-3. Accordingly, Applicant hereby requests reinstatement and consideration of Claim 33 and allowance of Claim 33 for reasons similar to those set forth below regarding Claim 1.

These requests remain unaltered by the subsequent prosecution. Applicant hereby reiterates and re-requests rejoinder and allowance of these claims. This request having been made effectively and clearly earlier in the response to the September 25, 2007 Office Action..

Conclusion

For the foregoing reasons, Applicant believes all claims listed as pending here above are in condition for allowance and should be passed to issue. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 566-1888.

Respectfully submitted,

/Janis J. Biksa, Reg. No. 33,648/
Janis J. Biksa
Registration No. 33,648
Attorney for Applicant

Medtronic Vascular, Inc.
3576 Unocal Place
Santa Rosa, CA 95403
Facsimile No.: (707) 543-5420